

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**STA-RITE INDUSTRIES, LLC  
F/K/A/ SHURFLO, LLC  
F/K/A SHURFLO PUMP  
MANUFACTURING COMPANY**

**Plaintiff,**

**V.**

**ITT CORPORATION, ITT INDUSTRIES, FLOJET CORPORATION, ITT JABSCO, INC., RULE INDUSTRIES, INC.**

## Defendants.

**Civil Action No. 6:08-CV-59**

## JURY TRIAL DEMANDED

**DEFENDANTS ITT CORPORATION AND RULE INDUSTRIES, INC.'S**  
**AMENDED SECTION 282 NOTICE**

Pursuant to 35 U.S.C. § 282, Defendants ITT Corporation and Rule Industries, Inc. (collectively “Defendants”) give amended notice of the patents and other publications that may be relied upon at trial for anticipation or showing the state of the art and notice of the prior inventors and others having prior knowledge of or as having previously used or offered for sale the alleged inventions of the patents-in-suit.

## PATENT REFERENCES

Patent Number	Publication Date (Filing Date)	Patentee
U.S. Patent No. 5,791,882	4/25/96	Stucker (Shurflo Pump Manufacturing Company)
U.S. Pat. App. No. 08/638,966	4/25/96	Stucker (Shurflo Pump Manufacturing Company)
Korean Patent App. No. 8552/1996	3/27/96	Stucker (Shurflo Pump Manufacturing Company)
U.S. Patent No. 6,048,183	2/6/98	Meza (Shurflo Pump Manufacturing Company)
U.S. Pat. App. No. 09/020,208	02/6/98	Meza (Shurflo Pump

<b>Patent Number</b>	<b>Publication Date (Filing Date)</b>	<b>Patentee</b>
		Manufacturing Company)
U.S. Patent No. 4,610,605	6/25/85	Hartley I (Product Research and Development)
U.S. Patent No. 6,050,662	4/22/98	Filipek (Shurflo Pump Manufacturing Company)
U.S. Pat. App. No. 09/064321	04/22/98	Filipek (Shurflo Pump Manufacturing Company)
U.S. Patent No. 4,747,495	1/20/87	Hoss (Chrysler Motors Corporation)
U.S. Patent No. 5,795,005	11/12/96	Garfias (Prince Corporation)
U.S. Patent No. 5,080,240	12/12/90	Williams
U.S. Patent No. 6,305,767	3/9/00	Filipek (Shurflo Pump Manufacturing Company)
U.S. Patent No. 7,225,936	2/4/04	Jersey (Shurflo Pump Manufacturing Company)
U.S. Pat. App. No. 10/773,110	2/4/04	Jersey (Shurflo Pump Manufacturing Company)
U.S. Patent No. 5,833,437	7/2/96	Kurth (Shurflo Pump Manufacturing Company)
Pat. App. No. 08/674,428	7/2/96	Kurth (Shurflo Pump Manufacturing Company)
U.S. Patent No. 3,464,358	8/17/67	Lind
U.S. Patent No. 3,748,066	12/13/71	Sully (Paddle Pumps Incorporated)
U.S. Patent No. 3,861,831	12/3/73	Rule (Rule Industries, Inc.)
German Patent 27 43 112	9/24/77	Blum
German Patent 23 08 369	2/21/73	Schweinfurter
French Patent 1535864	4/11/67	Anstalt
European Patent 0328075	2/8/89	Kobayashi et al. (Ebara Corporation)
British Patent 895,256	12/30/59	Hallerback
U.S. Patent No. 6,834,768	8/1/02	Jersey (Shurflo Pump Manufacturing Company)
U.S. Patent No. 5,649,812	3/4/96	Schoenmeyr et al. (Aquatec Water Systems, Inc.)
U.S. Pat. App. No. 08/447,994	5/23/95	Schoenmeyr et al. (Aquatec Water Systems, Inc.)
U.S. Patent No. 4,086,036	5/17/76	Hagen et al. (Cole-Parmer Instrument Company)
U.S. Patent No. 4,247,133	7/20/79	Moller (Wabco Steuerungstechnik GmbH & Co.)
U.S. Patent No. 4,483,365	7/27/82	Fallon (Louis G. Basso, Jr.)

Patent Number	Publication Date (Filing Date)	Patentee
European Patent Publication No. 0085588 (including certified translation)	1/12/83	Poitier (Wabco Steuerungstechnik GmbH & Co.)
U.S. Patent No. 5,647,491	2/15/95	Foster et al. (Hill-Rom Company)
U.S. Patent No. 4,441,684	11/25/81	Credle (The Coca-Cola Company)
U.S. Patent No. 5,540,556	6/1/94	Du
U.S. Patent No. 4,153,391	8/31/77	Hartley II (Carr-Griff, Inc.)
U.S. Patent No. 4,643,335	4/4/85	Carnisio

### NON-PATENT PUBLICATIONS

Publication Title	Date	Page Numbers
<i>Pump Handbook</i> , 3rd Edition, Igor Karassik et al, McGraw-Hill	2000	3.10, 3.88
Centrifugal Pump Standards, Hydraulic Institute, ANSI/HI	2000	1-60
Reciprocating Pump Standards, Hydraulic Institute, ANSI/HI	2000	1-62
Theory of Plates by Stephen Timoshenko et al, McGraw-Hill	1959	58-63
General Pump Standards, Hydraulic Institute, ANSI/HI	2000	1-62
Mark's Standard Handbook for Mechanical Engineers, 8th Edition, T. Baumeister, E. Avallone and T. Baumeister III, McGraw-Hill	1978	14.2-14.41
<i>Centrifugal Pumps – Design and Application</i> , 2nd Edition by V.S. Lobonoff and Robert R. Ross, Butterworth-Heinemann	1992	1-27
<i>Handbook of Engineering Mechanics</i> , 1966 Ed. Ripperger et al, McGraw-Hill.	1966	39-24 through 39-33
“The New SHURflo Rack as easy as 1,2,3,” SHURflo Pump Manufacturing Co.	2001	1
<i>Injection Molding Handbook</i> , 3rd Edition, Dominick V. Rosato et. al, Kluwer Academic Publishers	October 2000	439-453
“Fountain and Draught Exhibitors Were Pouring it on Pretty Thick at InterBev 2000,” Beverage World, vol. 120.	Jan. 15, 2001	98

### DIAPHRAGM PUMP-RELATED DOCUMENTS

Document	Date	Page Numbers
Par-Max3 Par-Max4 Automatic Multi-Outlet Water System Pumps; Rev. 4	April 1994	ITT0004155-58
Par Max3 Par Max4 Automatic Multi-Outlet Water System Pumps	April 1994	ITT0004159-63
Jabsco ParMax Series		ITT0004164

Document	Date	Page Numbers
Replacement Parts Par-Max & Centri-Max		ITT0004165
Par-Max3 Par-Max4 Automatic Multi-Outlet Water System Pumps	July 2000	ITT0004166-69
SHURflo valve assembly replacement	10/11/01	ITT0004183-85
Par Max 3 - CE 3 GPM Diaphragm Pump Schematic	10/20/03	ITT0008878
Housing, Valve drawing	12/23/93	ITT0008879
Housing, Valve drawing	12/23/93	ITT0069374
Flapper, Intake drawing	10/26/92	ITT0008880
Flapper, Intake drawing	10/26/92	ITT0069375
Bill of materials		ITT0069383-84
Bill of Materials – valve chamber		ITT0069376-78
Drawing		ITT0069382
West Marine 1998 Powerboat Master Catalog	1998	SHUR008451, SHUR008789 (SHUR008451- SHUR009110)
West Marine 1999 Power Master Catalog	1999	SHUR009807, SHUR010147 (SHUR009807- SHUR010459)
West Marine 2000 Catalog	2000	SHUR011041, SHUR011474, SHUR011467 (SHUR011041- SHUR011938)
West Marine 2001 Catalog	2001	SHUR007436, SHUR007954 (SHUR007436- SHUR008450)
West Marine 2002 Master Catalog	2002	SHUR017910, SHUR018404 (SHUR017910- SHUR018989)
West Marine 1995 Catalog	1995	804 (ITT0069951- 69952)
West Marine 1996 Catalog	1996	771 (ITT0069953- 69954)
ITT Jabsco Marine Catalog '94	1994	7 (ITT0069976- 69978)
ITT Jabsco Marine Catalog '95	1995	8 (ITT0069979- 69981)
ITT Jabsco Marine Catalog '96	1996	8 (ITT0069982- 69983)
ITT Jabsco Marine Catalog '97	1997	8 (ITT0069984- 69985)

<b>Document</b>	<b>Date</b>	<b>Page Numbers</b>
ITT Jabsco Marine Catalog '98	1998	10 (ITT0069986-69987)
ITT Jabsco Marine Trade Catalog '99	1999	8 (ITT0069988-69989)

### **LIVEWELL/BILGE PUMP-RELATED DOCUMENTS**

<b>Document</b>	<b>Date</b>	<b>Page Numbers</b>
1990 Mayfair Catalog	1990	ITT0004052-67
West Marine 1992 Master Catalog	1992	ITT00069314-16
Fax from Johnson to Loarie	3/16/93	JOHNSON1-5
Mayfair product information sheet	1987	JP-0000041-43
Mayfair molded products catalog	1989	JP-0000044-46
Mayfair commercial sheet	1990	JP-0000047-51
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Mayfair commercial sheet	1995	JP-0000059-62
West Marine 1995 Catalog	1995	791 (ITT0069990-69992)

### **BRACKET-RELATED DOCUMENTS**

<b>Document</b>	<b>Date</b>	<b>Page Numbers</b>
Letter to Providence Enterprise Ltd.	6/5/97	ITT0015999-16003
Letter to Coca-Cola Fountain	12/9/96	SHUR000796-98
Drawings attached to SHURflo purchase requisition	4/30/96	SHUR000805-820
Flojet Pumps & Accessories for Coca-Cola Co.	6/96	ITT0069630-69631; ITT0003044-45
Flojet Pumps & Accessories for Pepsi	6/96	ITT0069628-69629; ITT0003046-47
Sub/Assy Bracket schematic	11/4/94	ITT0015944
Comestible Fluid Rack and Rail Apparatus invoice summary spreadsheet		SHUR004491- SHUR004613
SHURflo memo re Plastic Mounting Brackets	10/18/99	SHUR000579- SHUR000581
SHURflo memo re Plastic Mounting Brackets	10/18/99	SHUR000595
SHURflo Snap-Fit Base Plate & Track System for Gas Pumps		SHUR000625- SHUR000626
SHURflo Accessories		SHUR000668
SHURflo sales orders		SHUR001759- SHUR001803
SHURflo Snap Fit Baseplate 21-957-XX drawing	10/28/99	SHUR000485
Coca-Cola USA Specification for Generic/Redline B-I-	02/10/92	ITT0018068-

B Rack (Rev. A), Specification No. GRBRS		ITT0018094
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**COUNSEL FOR DEFENDANTS  
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**CERTIFICATE OF SERVICE**

I certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(A)(3) on July 22, 2010.

/s/ Brett C. Govett

Brett C. Govett